

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,

Plaintiff,

v.

YVONNE GONZALES ROGERS, et al.,

Defendants.

Case No. [17-cv-07245-VC](#) (PR)

**ORDER OF DISMISSAL WITH
PREJUDICE**

Plaintiff Steven Wayne Bonilla, a state inmate, has filed a *pro se* civil action against District Judge Yvonne Gonzalez Rogers, District Attorney Nancy O'Malley, Assistant District Attorney Jonathan Goodfellow and Attorney David Anthony. Bonilla has been disqualified from proceeding *in forma pauperis* ("IFP") under 28 U.S.C. § 1915(g) unless he is "under imminent danger of serious physical injury" at the time he filed his complaint. 28 U.S.C. § 1915(g); *In re Steven Bonilla*, No. C 11-3180 CW (PR); *Bonilla v. Dawson*, No. C 13-0951 CW (PR).

The allegations in this complaint do not show that Bonilla was in imminent danger at the time of filing. Therefore, Bonilla may not proceed IFP. Moreover, his lawsuit is barred under *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). Bonilla has also filed multiple lawsuits stating the same or similar claims against Defendants Gonzalez Rogers, O'Malley and Goodfellow. He may not keep filing different lawsuits stating the same claims against the same defendants. Accordingly, the case is dismissed with prejudice.

Furthermore, this is not a case in which the undersigned judge's impartiality might be reasonably questioned. *See United States v. Holland*, 519 F.3d 909, 912 (9th Cir. 2008) (absent legitimate reason to recuse himself or herself, judge has a duty to sit in judgment in all cases

assigned to that judge).

The Clerk shall close the case. The Clerk shall return, without filing, any further documents Bonilla submits after this case is closed.

IT IS SO ORDERED.

Dated: January 2, 2018

A handwritten signature in dark ink, appearing to read 'V. Chhabria', is written above a horizontal line.

VINCE CHHABRIA
United States District Judge